

LAKE LATONKA PROPERTY OWNERS ASSOCIATION
RULES AND REGULATIONS

GENERAL REGULATIONS

Each member and his or her family and each tenant and his or her family shall be subject to the following rules and regulations:

- (1) Only current dues paying Members and Tenants that are in good standing relative to payment of all financial obligations collected by the Association and otherwise in good standing with respect to the rules and regulations of the Association or their families and guests shall be entitled to use Lake Latonka facilities, beach and Common areas. Members and Tenants shall be responsible for informing their guests of these Rules and Regulations and such members and tenants may be held responsible for any misconduct or violations of these Rules and Regulations by their guests. Anyone violating this provision shall be considered a trespasser under the Laws of the Commonwealth of Pennsylvania
- (2) Guests must be accompanied by a member in good standing or immediate family member thereof to fish upon the waters of Lake Latonka.
- (3) For the purpose of these Rules and Regulations, immediate family is defined as the following of the dues-paying member of Lake Latonka: Grandparents, Parents, Children, Grandchildren, or Spouses of Children.
- (4) All members must comply with each and every restrictive covenant pertaining to Lake Latonka Subdivision as the same are recorded in the Office of the Recorder of Mercer County, Pennsylvania.
- (5) Construction compliance regulations and deed restrictions:
 - (a) Each member and/or tenant must comply with all applicable Construction Compliance Regulations of the Association and the Deed Restrictions and Covenants.
 - (b) Owners of lots, the borders of which abut the bed of the lake or any tributary within two hundred (200') feet of the bed of the lake thereto must construct a permanent erosion control structure between those lot boundaries perpendicular to the shoreline and along the present high water line between said perpendicular line.
 - (i) The material for the construction of said structure may include, without limitation, stone, rip-rap, landscaping ties, concrete retaining walls, gabions or river rock, any of which as identified herein or in addition hereto must be with the prior approval of the Board of Directors or its authorized

Committee.

(ii) Each lot owner shall be subject to inspection and approval of the structure by the Board of Directors or its authorized Inspector both as to immediate construction and periodically thereafter to insure its soundness and functionality for the purposes herein intended.

(iii) The cost of construction shall be the sole responsibility of the lot owner.

(iv) Excluded from this regulation are all Association owned islands.

(6) No hunting or discharge of firearms or other weapons that pose a threat to life or property will be permitted in the Lake Latonka Subdivision, however the Board may approve the use of firearms for a controlled hunt for control of nuisance animals or migratory birds in conjunction with and supervised by the Pennsylvania Game Commission, with required advance notification to the Lake Latonka Membership. Violators will be prosecuted as defiant trespassers pursuant to the laws of the State of Pennsylvania.

(7) No bus, converted bus, trailers, campers, tents or other sleeping facility may remain on any vacant lot, picnic or recreation area after midnight.

(8) LLPOA reserves the right to tow away/remove any vehicle or trailer unidentified on LLPOA property.

(9) Membership in this Association is not transferable or assignable.

LAKE REGULATIONS

(1) All members/tenants and guests will be governed by PA Fish and Boat Commission rules and regulations. A valid fishing license is required to fish upon Lake Latonka.

(2) The Board of Lake Latonka Property Owners Association may, from time to time, issue creel limits and size limits, as it deems necessary to protect the lakes fish resources.

(3) Members owning waterfront lots may install a private beach on said lot. They may construct a private dock in conformance with the current Construction Compliance Regulations of the Association.

(4) Members owning other than waterfront lots shall have access to the Lake, beach and common areas only over and upon the public access areas and shall have use only of any boat dock owned by the Association which may be utilized to secure their boat subject only to the rules

and regulations set forth in these regulations. No boat or other watercraft or vehicle to transport same may be stored or left unattended at the concrete ramp located along the spillway for more than one (1) week moreover, all boats or other watercraft must be launched and or removed from the two (2) launching ramps with the exception of owners of waterfront lots, who may launch and/or remove from their own lots.

(5) Beach, common areas and other association facilities:

- (a) The beach, common areas and other Association facilities are for the use of all members and/or tenants in good standing and their guests.
- (b) Those using these areas must dispose of all trash properly. Glass containers are not permitted on the Beach.
- (c) Pets are not permitted on the beach area.
- (d) Lifeguards have complete charge at the beach and have the authority to deny use of the beach to those who, in their opinion, willfully disregard these rules.
- (e) The Association shall not be responsible for personal belongings lost or stolen nor for injuries sustained while on the beach, in the water or on any property within the Lake Latonka Subdivision.
- (f) No alcoholic beverages are permitted on the beach without prior written Board approval.
- (g) Permits for the use of the picnic island and the picnic shelter at the main beach area must be obtained in advance from the Association office. The barn, community room, restaurant, picnic shelter, and gazebo or other buildings are available for rent.
- (h) Swimming is prohibited at the public docks or public islands. Swimming and rafts are not permitted beyond seventy-five (75) feet from shore.
- (i) Boats of any kind shall not be tied to the end of the public docks.
- (j) Motorized vehicles shall not be permitted on the ice of the Lake during the winter months.
- (k) Parking at the two Marina parking lots (Deli & Spillway areas) is limited to 24 hours, violators will be towed at their own expense.

BOAT OPERATION AND WATER SKIING

- (1) All boats must meet or exceed minimum requirements as set forth by the Pennsylvania Fish and Boat Commission, and boat operators will comply with all regulations set forth in the current boating regulations of the Commonwealth of Pennsylvania.
- (2) No houseboats, advertised, defined or used as such, or racing-type boats are permitted on the lake.
- (3) No boats, including deck boats, greater than twenty-one (21) feet as measured from end of the bow to the end of the stern excluding motor and swim platform whether bolted or molded in, shall be permitted on LLPOA waters. No pontoon boats that have "logs" (pontoons, floats, etc.) greater than twenty-two (22) feet or decks longer than twenty-two (22) feet are permitted on LLPOA waters. No Non Power Boat lengths greater than twenty-one (21) feet.
- (4) No boats of any description fitted with head, permanent or portable toilet fixtures shall be permitted on the Lake.
- (5) No Hydro Jet Packs, JetLev, Flyboards, Jetovator and similar devices worn and powered by water pressure from a JetSki or any other water or Air pumping device are prohibited.
- (6) All boats on the Lake must be registered with the Association annually in the member's and/or tenants name and must display the appropriate Association sticker. The member or tenant must present a current qualifying state boat registration for each motor boat, and must also provide proof of liability insurance for each motor boat in order to secure an identification sticker. New stickers will only be issued to a member or tenant who is in good standing with the Association
- (7) A property owner/tenant renting a boat dock must present a current year boat sticker for the boat that the dock is being rented for. No boats shall be on the water of Lake Latonka, including private or public docks, without a current valid boat sticker. Said illegal watercraft shall be subject to assessment(s) as set by the Board of Directors of Lake Latonka.
- (8) The LLPOA Board of Directors reserves the right to prohibit any watercraft not deemed appropriate for Lake Latonka regardless of length and/or horsepower.
- (9) A maximum of forty (40) M.P.H. speed limit will be enforced on the Lake for all boats. Speed limit of three (3) M.P.H. when nearer than one hundred (100) feet of shore, dam/spillway or swimming areas designated by the Association, and other areas designated by the Association as no-wake zones shall be enforced.
- (10) Direction of travel for all Lake traffic shall be in a counter-clockwise direction.

- (11) No watercraft are permitted to pass between the dam and gate valve.
- (12) Only boats owned and occupied by members or tenants may be launched on the Lake and only after proper registration with the State, if applicable, and with the Association.
- (13) Each member or tenant is permitted no more than two (2) boats for public docking at one time unless after March 31st of any given year there are available slips, then a third public dock slip may be reserved.
- (14) There will be no fishing permitted on the Lake during a Lake draw-down, unless authorized by the Board of Directors.
- (15) No motorized watercraft will be permitted on the Lake during a Lake draw-down, unless authorized by the Board of Directors.
- (16) All water skiing, jet skiing; kite skiing and similar athletic sport shall be in compliance with the current Boating regulations of the State of Pennsylvania.
- (17) Skiing shall be in a counter-clockwise direction as is all Lake traffic and shall be restricted to the area between the gate valve and the first island before the beach.
- (18) Skiing shall be prohibited in areas so designated as no-wake zones or where there is a three (3) M.P.H. restriction.
- (19) Boating rights may be curtailed for any infraction of the rules and regulations as deemed by the Board of Directors or the Association Security Personnel.
- (20) Guests may only operate motorized watercraft if they are properly trained in the operation of the watercraft and are accompanied by an Association member or immediate family member of the dues paying member. Guests may operate non-motorized watercraft in the no wake zones of the lake without being accompanied by a member or immediate family member of the dues paying member.
- (21) Boats equipped with speakers, loudspeakers or other sound broadcast devices shall be operated so as not to cause a nuisance to other boaters or property owners.
- (22) All private boats must be removed from all Association docks no later than 12:00 p.m. of the fourth (4th) Sunday of each October unless otherwise posted by the Board of Directors. Excepted from this Section is Dock No. 4, which will remain open and available to members until formally posted by the Board of Directors for removal. Private boats may be returned to Association docks on or after April 1st of the following year, unless otherwise posted by the Board of Directors.

RENTAL REGULATIONS

(1) Members desiring to rent or let a place of residence must first submit a Tenant Acknowledgment form to the Association. For the purposes of this paragraph, the definition of renting or letting shall include the temporary use or occupancy of a member's dwelling by one or more persons, hereinafter referred to as tenants. Said tenants shall abide by these rules and regulations and shall be held responsible for any misconduct or violation of these rules and regulations the same as any member. Privileges for the use of the beach, common areas or other Association facilities may be revoked should a tenant fail to abide by the rules and regulations and shall be considered a trespasser under the laws of Pennsylvania.

(2) When a member leases a dwelling, both the member and the tenant shall pay the annual dues as established by the LLPOA Board of Directors. The dues charge to a tenant may be pro-rated based on the proportion of the year for which the dues are payable and during which the tenant occupies the premises. Dues paying tenants shall have the same rights and privileges as members, except they shall not be entitled to vote on any matter on which the membership may vote. Dues payable by tenants shall be payable in advance of occupancy. Assessments over and above the annual dues made by LLPOA Board of Directors are payable only once per each assessable property.

PET REGULATIONS

(1) Only customary household pets will be permitted to stay inside the Lake Latonka Subdivision. Owners shall comply with applicable state laws regarding licensing of pets.

(2) In accordance with ACT of 1982, P.L. 784, NO. 225 SECTION 305 "Confinement of Dogs": It shall be unlawful for the owner or keeper of any dog to fail to keep at all times such dogs either: (a) confined within the premises of the owner; (b) firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured; or (c) under reasonable control of some person.

(3) According to Section 302 of the above stated law "It shall be the duty of every police officer or State dog warden to seize and detain any licensed dog which is found running at large, either upon the public streets or highways of the Commonwealth, or upon the property of a person other than the owner of such dog, and unaccompanied by the owner or keeper".

(4) Any person who owns or keeps, harbors, or cares for any animal is subject to enforcement and penalties pursuant to the applicable provisions of the LLPOA By-Laws if that animal is found to be a nuisance as defined below:

(a) Any pet which by frequent and habitual barking, howling, screeching, yelping or baying, or in any way or manner disturbs the quiet of any person or the community, or which disturbs or injures or endangers the comfort, repose or health of persons is hereby declared to be committing a nuisance.

(b) Any pet which is molesting passersby, chasing vehicles and/or attacking other domestic animals is hereby declared to be committing a nuisance.

(c) Any pet which scratches, digs or defecates upon any lawn, tree, shrub, plant, building or any other Association or private property, other than the property of the owner of person in charge or control of such animal is hereby declared to be a nuisance.

(d) Where the owner or person in charge or control of such pet immediately removes all feces deposited on private or Association property and disposes of same in a sanitary manner, such nuisance shall be considered abated.

(e) Any pet which shall attack and/or bite one or more persons shall hereby be considered a nuisance. Kennels shall not be permitted for breeding or boarding purposes.

VEHICULAR REGULATIONS

(1) All drivers shall abide by the Pennsylvania Motor Vehicle Codes pertaining to the use of motor vehicles and to observe safe driving speeds as posted, and operate their vehicle in a manner as to not create a risk of harm to persons or property.

(2) No pedestrian or vehicular traffic is permitted, on the dam, within 50 feet of the base of the dam or stilling basin, by Board resolution, unless approved by the Lake Manager or Board of Directors.

(3) Off road vehicles shall be defined as those which are not licensed for highway use by the Commonwealth of Pennsylvania. Off-road vehicles shall be required to be registered with the Association and display the appropriate identification sticker. Only off-road vehicles belonging to Members are permitted to operate within the Subdivision.

(4) Helmets shall be worn as required by State Codes and for off-road vehicles and snowmobiles, with the exception being golf-carts used only on subdivision roads.

(5) All vehicles shall be kept in good safe mechanical condition and with all factory

exhaust systems intact and shall not be used in such a manner which would constitute a nuisance to any other member or tenant or the community in general.

(6) Vehicles shall be operated in a safe manner at legal speeds and shall not trespass on any member's private property without their permission. Vehicles shall not be operated on Association property, other than the roads and assigned parking areas.

(7) No vehicle shall be on the road after dark without a front light and a rear red light.

(8) No motorized off-road vehicles may be operated on the LLPOA roads by a member or guest under the age of twelve (12) years, unless accompanied by an Association member in good standing.

(9) Proof of liability insurance will be required to register the vehicle with the Association; coverage should be in the amount of not less than \$15,000.00.

(10) Violation of these vehicle regulations shall constitute a trespass upon Association property.

ENFORCEMENT REGULATIONS

(1) Any member, tenant or guest violating any of the aforementioned rules and regulations shall be issued a written warning, a copy of which shall be kept on file in the Association office as evidence of the prior request to abide by these By-Laws, and the notification to the offender that the violation is a trespass as to the property of the Association and/or the private property of others within the Lake Latonka Subdivision.

(2) Any member, tenant or guest violating any of the aforementioned rules and regulations in addition to the written warning, may be subject to any of all of the following action taken by the LLPOA:

(a.) Suspension of all membership privileges.

(b.) Fine not to exceed \$200 per violation. If the first violation is not corrected and/or fines paid within 60 days of notice give by LLPOA, subsequent fines not to exceed \$200 may be issued every 60 days until violation is corrected and/or fines are paid.

(c.) LLPOA may pursue summary proceedings against any trespasser upon the property of the Association and/or the private property of others within the Lake Latonka subdivision pursuant to the Rules of Criminal Procedure applicable to District Justices.

(3) Any member, tenant or guest having been issued the written warning as set forth within subparagraph two (2) herein or who has received actual communication of same and again violated any of the foregoing rules and regulations, may be subject to being charged by the Board of Directors and/or the Security Personnel as a defiant trespasser under Section 3503 (b) of the Pennsylvania Crime Code which make such defiant trespass a misdemeanor of the third degree.

(4) Any other person, including a member, tenant or guest, who may be barred from the use of the beach, common areas and other facilities of the Association pursuant to the terms of these By-Laws, will be considered a defiant trespasser without the necessity of issuing a written or oral warning, given these By-Laws such person is put on notice against such trespass being neither licensed nor privileged to enter upon or utilize the beach, common areas and other facilities of the Association exclusive of the roadway.

(5) APPEALS – Any fine or suspension imposed by LLPOA shall be subject to a member's right of appeal. Appeals shall be governed by the LLPOA Executive Judicial Review Policy.

MISCELLANEOUS REGULATIONS

The following Resolutions which are incorporated by reference have been adopted by the Board of Directors of LLPOA and supplement the Rules and Regulations above:

- 1) 8-2009 Wood Fired Furnaces
Wood fired furnaces are defined by this resolution and are prohibited at Lake Latonka.
- 2) 7-2009 Trespassing below dam - stilling basin and fishing basin
Trespassing below the dam and in the stilling basin at the base of the spillway and fishing in the basin are prohibited.
- 3) R-6 of 2002 Dues payment policy as amended 6/12/2008
Payment of dues, including penalties and interest for late payment, are established by this resolution.
- 4) R-4 of 2007 Alcohol prohibited at meetings of Board and Committees
- 5) R-2 of 2006 Conduct of Public Meetings
This resolution establishes the practices and procedures for the conduct of public meetings of LLPOA.
- 6) No. 3 of 2007 Commercial Vehicles stopping, standing, parking
This resolution establishes regulations for the use of LLPOA roads by

commercial vehicles and requires the setting of cones when such vehicles are stopped on the roads of Lake Latonka.

- 7) **No. 7 of 2006 Sexual Harassment Policy**
Lake Latonka has an extensive sexual harassment policy prohibiting sexual harassment of any kind of employees, contractors and others by anyone employed or under the control of LLPOA.
- 8) **No. 5 of 2006 Cutting/Removal of trees**
Cutting trees on private lots requires a permit available at the office.
- 9) **No. 1 of 2006 Outdoor trash containers**
Regulates the placement and use of outdoor trash containers.
- 10) **R-4 of 2005 Outdoor lighting regulations**
Establishes the standards for outdoor lighting requiring shielding and directional requirements.
- 11) **R-6 of 2005 Shoreline control**
Establishes criteria for erosion control along private shorelines.
- 12) **R-15 of 2003 Limitations on number of building permits annually**
Limits the number of building permits which may be issued annually by LLPOA.
- 13) **R-11 of 2003 Policy on bulletin boards**
Establishes the criteria for placement of signs and advertising on LLPOA bulletin boards.
- 14) **R-10 of 2003 Regulations of signs**
Establishes the criteria and permitting of certain signs on members property and on LLPOA property.
- 15) **R-5 of 2003 Fishing by guests**
Establishes LLPOA policy for fishing by members' guests.
- 16) **R-1 of 2003 Definitions of "New Home", "Remodeling"**
Establishes criteria for determining whether construction is new home or remodeling.
- 17) **R-2 of 1996 Boat stickers**
Establishes the requirement and payment for stickers for boats to be operated on Lake Latonka.

- 18) **R-3 of 1994** **Erosion control - lakefront lots**
Imposes requirements on lakefront lot owners to establish erosion control measures.
- 19) **R-4 of 1994** **Fall removal of boats from Association docks**
Provides the requirement for removal of boats from LLPOA owned docks at the end of the boating season.
- 20) **Construction Compliance Rules required by by-laws.**
Construction compliance rules have been established by resolution and regulate the means, methods and requirements of construction of new buildings and remodeling on members' lots.

The following policies which are incorporated by reference have been adopted by the Board of Directors of LLPOA and supplement the Rules and Regulations above.

- 1) **Executive Judicial Review Committee Policies and Procedures dated August 28, 2008**
Establishes the Executive Judicial Review Committee and provides appeal procedures for members who have been fined or otherwise disciplined in accordance with LLPOA rules and regulations.
- 2) **Schedule of Fines**
Establishes the schedule of fines for violation of LLPOA rules and regulations.
- 3) **Loss of Privileges Policy dated December 11, 2003**
Provides for the loss of privileges of members who are not in compliance with LLPOA rules and regulations.
- 4) **Revised Sign Regulations dated October 9, 2003**
Revises sign regulations established by prior resolution.
- 5) **Dock Rules and Regulations for Docks 4, 8 and 10 dated February 23, 2006**
Establishes rules and regulations for the use of Docks 4, 8 and 10 by members of LLPOA.
- 6) **Fence Policy dated October 12, 2006**
Provides rules and regulations and requires permits for the construction of fences.

(Revised 4-24-17)